UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,352	10/09/2001	Yandi Ongkojoyo		5264

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DHARMAHUSADA PERMAI
XII / N - 405
SURABAYA, JAWA TIMUR,   60116
INDONESIA

EXAMINER
DIVECHA, KAMAL B

ART UNIT	PAPER NUMBER
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DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 April 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-7</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>04/07/2005</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Arguments

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The amendment filed 04/07/2005 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: On page 3, the applicant states "a system to display virtual reality websites or virtual environment with standard Java", On page 4, the applicant states "another object of the invention is to create virtual environment using Java applets on the Internet". The applicant has added the new matter into the disclosure, which was not disclosed in the disclosure at the time the application was filed.

Applicant is required to cancel the new matter in the reply to this Office Action.

The specification is objected to under 35 U. S. C. 112, first paragraph, as failing to adequately teach how to make and use the invention, i.e. failing to provide an enabling disclosure.

The applicant has failed to disclose any software or hardware components necessary in the system with any meaningful degree of specificity to perform all the tasks in the system.

The applicant has failed to provide an enabling disclosure in the detailed description of the embodiment. On page 3, applicant fails to describe displaying a virtual reality environment with standard Java and platform on the Internet. Applicant also fails to teach the process of building Java-based virtual reality environment in the detailed description of the embodiment.

The examiner noted that the claims 1-7 have been amended to overcome the objections

and rejections made under 35 U. S. C. 112, first paragraph; however, the specification does not

provide an enabling disclosure to support the claimed virtual reality environment with standard

Java, system for building Java-based virtual reality environment enabled web services or web

sites, first means and second means, means for building virtual reality web sites or virtual

environment and means for user verification and how they perform the claimed functions and

limitations.

1.   Claims 1-7 are rejected under 35 U. S. C. 112, first paragraph, for the reasons set forth in

the objection to the specification.

DETAILED ACTION

Newer versions of claim 1-7 are presented for examination.

Cross reference to Related Application

Applicant is requested to remove the cross references to related application since the

references does not belong to either same assignee or same inventor.

Information Disclosure Statement

The listing of references in the specification is not a proper information disclosure

statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information

submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be

incorporated into the specification but must be submitted in a separate paper." Therefore, unless

the references have been cited by the examiner on form PTO-892, they have not been

considered.

The information disclosure statement filed 04/07/2005 fails to comply with 37 CFR

1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or

other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent

application publications listed in a section separately from citations of other documents; (3) the

application number of the application in which the information disclosure statement is being

submitted on each page of the list; (4) a column that provides a blank space next to each

document to be considered, for the examiner's initials; and (5) a heading that clearly indicates

that the list is an information disclosure statement. The information disclosure statement has

been placed in the application file, but the information referred to therein has not been

considered.

The information disclosure statement filed 04/07/2005 fails to comply with the provisions

of 37 CFR 1.97, 1.98 and MPEP § 609 because the references has to be listed on a separate sheet

of paper, applicant has answered to questions, It is unclear to the examiner what applicant means

by answering to questions on IDS. It has been placed in the application file, but the information

referred to therein has not been considered as to the merits. Applicant is advised that the date of

any re-submission of any item of information contained in this information disclosure statement

or the submission of any missing element(s) will be the date of submission for purposes of

determining compliance with the requirements based on the time of filing the statement,

including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609

¶ C(1).

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed method steps or process of claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code on page 10. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

The specification is objected to under 35 U. S. C. 112, first paragraph, as failing to

adequately teach how to make and use the invention, i.e. failing to provide an enabling

disclosure.

The applicant has failed to provide an enabling disclosure in the detailed description of

the embodiment. On page 3, applicant fails to describe the process of displaying a virtual reality

environment with standard Java and platform on the Internet. Applicant also fails to teach the

process of building Java-based virtual reality environment in the detailed description of the

embodiment.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

1.   Claims 1-7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with

the written description requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to reasonably convey to one skilled in the relevant

art that the inventor(s), at the time the application was filed, had possession of the claimed

invention.

As per claim 1, the disclosure fails to teach how the virtual reality would have displayed

using the standard Java; instead applicant just mentions that the virtual reality environment is

displayed using the standard Java (pg. 4).

As per claim 2, the claimed subject matter of building Java-based web sites with virtual

reality environment is not disclosed or described in the specification. Disclosure fails to teach

how the web sites would have been generated or built. Applicant has just provided a statement

indicating that virtual environments would have been created using Java applets on the Internet.

Further, the disclosed limitations in the body of the claim 2 do not support the preamble

of claim 2.

As per claim 3, the disclosure fails to show the input and output means as claimed subject

matter.

Claim 4 is rejected due to its dependency on claim 1.

As per claim 5-7, the disclosure fails to teach and show the user verification means and means

for allowing multiple users to interact.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

Regarding claim 3, the phrase "such as" renders the claim indefinite because it is unclear

whether the limitations following the phrase are part of the claimed invention. See MPEP

§ 2173.05(d).

Claim 1 recites the limitation "standard Java" in the claim. There is insufficient

antecedent basis for this limitation in the specification.

Claim 2 recites the limitation "Java-based virtual reality". There is insufficient antecedent

basis for this limitation in the specification.

Claim 3 depends on claim 2, therefore claim 2 is rejected for the same reasons as set forth in claim 2.

Claims 4-7 are dependent on claim 1. Therefore, claims 4-7 are rejected due to their dependency on claim 1.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3.   Claims 2-7 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 2 is not limited to tangible embodiment. The body of the claim does not provide any tangible medium to support the preamble. As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

Claim 3 does not further provide any tangible medium and does not solve the problem of claim 2. therefore, the claim is not limited to statutory subject matter and is therefore non-statutory.

Claim 4 is not limited to tangible medium. Applicant's disclosure fails to provide any explanation of tangible medium in the specification and therefore the medium is not limited to tangible embodiments. As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

Claims 5-7 depends on claim 4 and does not further solve the problem of claim 4 above. Therefore, the claims are not limited to statutory subject matter and are therefore non-statutory.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 4, 6-7 are rejected under 35 U.S.C. 103(a) as being obvious over Matsuda et al.

(hereinafter Matsuda, U. S. Patent No. 6,268,872 B1) in view of Lipkin (U. S. Patent No.

5,999,944).

As per claim 1, Matsuda explicitly discloses a method for displaying a virtual reality

environment with standard Java (col. 9 L35-40, L61-65; fig. 4 item #31) on the Internet

comprising the steps of: (a) downloading virtual reality web application (read as script program

and VRML file) (fig. 5 item #2 and #10b); (b) downloading virtual environment data (read as

VRML contents) (fig. 5 item #2 and #10b); (c) displaying virtual reality environment using a

browser; whereby user can use any operating system that has capability to connect to the Internet

to display the virtual environment (fig. 17, 18 and 19; fig. 3 item #1; col. 5 L60-67), however,

Matsuda does not explicitly disclose the browser to be a Java-enabled Internet browser to display

virtual reality environment.

Lipkin, from the same field of endeavor, discloses the process of using Java-enabled

Internet browser that is capable of displaying virtual reality environment (fig. 1 item #26 and col.

7 L35-39, col. 12 L67 to col. 13 L1-2). Therefore, it would have been obvious to a person of

ordinary skilled in the art at the time the invention was made to incorporate the teaching of

Lipkin as stated above with Matsuda in order to use Java-enabled web browser.

One of ordinary skilled in the art would have been motivated because it would have

enabled receiving and executing Java language applets stored on the server (Lipkin, col. 7 L36-

38). Also, One of Java's advantages is that it is a portable language, which is independent of

operating systems and hardware architectures. Further, applications developed using Java are

adaptable or extendable using Java's ability to download new classes dynamically and to add the

downloaded classes to an existing class hierarchy. Java also provides the advantages of

distribution, language interpretation, security, high performance and a multi-threaded

implementation.

As per claim 4, Matsuda in view of Lipkin discloses a computer program product having

a computer readable medium having computer program logic recorded thereon, as a part of the

system of claim 1, comprising means for using server-side script and/or code to build HTML

pages embedded with map data and display a representation of the map data as a virtual reality

environment via the Internet using standard Java (Matsuda, fig. 4 item #31, item #46; fig. 5 item

#10, 10b and col. 9 L20-65; Lipkin, fig. 1 item #10); means for building and displaying virtual

reality web sites or virtual reality environments using texture mapping (Matsuda, col. 6 L24-38

and col. 5 L18-67; Lipkin, col. 1 L11-25, col. 4 L35-67 to col. 5 L1-35), however, Matsuda in

view of Lipkin does not explicitly disclose the process of building and displaying virtual reality

environment with standard Java. But, Lipkin suggests that while the invention has been disclosed

in the context of the VRML language, it is not limited to that context; the invention can be

implemented in the context of any other descriptive language (Lipkin, col. 33 L22-43).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the

invention was made to modify Matsuda in view of Lipkin in order to build and display virtual

web sites or environments using standard Java. One of ordinary skilled in the art would have

been motivated because one of Java's advantages is that it is a portable language, which is

independent of operating systems and hardware architectures. Further, applications developed

using Java are adaptable or extendable using Java's ability to download new classes dynamically

and to add the downloaded classes to an existing class hierarchy. Java also provides the

advantages of distribution, language interpretation, security, high performance and a multi-

threaded implementation.

As per claim 6, Matsuda discloses the process for allowing multiple users to interact each

other (fig. 18, multi-user window).

As per claim 7, Matsuda discloses the process for allowing a user to assign a virtual

entity to represent said user (fig. 9 and col. 10 L51-67).

1.   Claim 5 is rejected under 35 U.S.C. 103(a) as being obvious over Matsuda et al.

(hereinafter Matsuda, U. S. Patent No. 6,268,872 B1) in view of Lipkin (U. S. Patent No.

5,999,944), and further in view of Tokiwa (U. S. Pub No. 2002/0010635 A1).

As per claim 5, Matsuda in view of Lipkin does not explicitly disclose the process for

using a conversation-like password verification system for user verification.

Tokiwa explicitly discloses the process of using password verification process (pg. 1,

para. 0019; pg. 3 para. 0049). Therefore, it would have been obvious to a person of ordinary

skilled in the art at the time the invention was made to incorporate the teaching of Tokiwa as

stated above with Matsuda in view of Lipkin for user verification purposes.

One of ordinary skilled in the art would have been motivated because it would have

provided an authentication system for checking the valid users, preventing unauthorized users

from accessing the information and would have further enabled secure communications (Tokiwa,

pg. 5, para. 67; pg. 1, para. 7-15).

2.   Claims 2-3 are rejected under 35 U.S.C. 103(a) as being obvious over Matsuda et al.

(hereinafter Matsuda, U. S. Patent No. 6,268,872 B1) in view of Lipkin (U. S. Patent No.

5,999,944), further in view of Tokiwa (U. S. Pub No. 2002/0010635 A1), and further in view of

Goden (U. S. Patent No. 6,426,752 B1).

As per claim 2, Matsuda in view of Lipkin discloses the process of building Java-based

virtual reality environment (Matsuda, col. 6 L24-39; fig. 12), however, Matsuda in view of

Lipkin does not explicitly disclose the process of building e-commerce web sites and online-

game web sites.

Tokiwa, from the same field of endeavor, explicitly discloses building and providing e-

commerce web site with virtual reality environment (fig. 3; pg. 1 para. 18 and 26), however,

Tokiwa does not explicitly disclose the process of building online-game web site.

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to incorporate the teaching of Tokiwa as stated above with Matsuda in

view of Lipkin in order to obtain a system for building e-commerce web sites. One of ordinary

skilled in the art would have been motivated because browsing the Internet with virtual

environment would have enabled many different activities such as online research, surfing,

playing games, downloading and uploading files, experiencing multimedia presentations, online

chats and instant messaging, and engaging in electronic commerce.

Goden, from the same field of endeavor, explicitly discloses the game device that permits

generation of images of objects moving through a virtual space (see abstract; fig. 2; col. 4 L28-

38).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to incorporate the teaching of Goden as stated above with Matsuda in

view of Lipkin and Tokiwa in order to obtain a system for building online-game web sites. One

of ordinary skilled in the art would have been motivated because browsing the Internet with

virtual environment would have enabled playing games online without wasting the effort to go

out and purchase the physical medium of the games.

As per claim 3, Matsuda discloses virtual reality input devices (fig. 4 item #42 and #41);

and output devices (fig. 4 item #45).

Additional References

3.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

      a.   Matsui et al., U. S. Patent No. 5,956,028.

      b.   Satoh et al., U. S. Patent No. 6,675,197 B1.

      c.   Matsuda et al., U. S. Patent No. 5,926,179.

      d.   Ibarra et al., U. S. Patent No. 6,539,406 B1.

      e.   Shiloh U. S. Pub. No. 2001/0037316.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

ZARNI MAUNG
SUPERVISORY PATENT EXAMINER